

# **EXHIBIT C**

**BEFORE THE UNITED STATES JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION**

In re: Zimmer NexGen Knee Products Liability  
Litigation

MDL Docket No. 2272

ORAL ARGUMENT REQUESTED

**DECLARATION OF PAUL DANIEL**

I, Paul Daniel, state as follows:

1. I am over 18 years of age and have personal knowledge of the facts and representations set forth in this affidavit.
2. I am the principal and owner of Zimmer Daniel Associates, Inc. ("Zimmer Daniel"), a distributor of orthopaedic products manufactured by Zimmer, Inc. ("Zimmer").
3. Zimmer Daniel representatives facilitate orders for Zimmer orthopaedic medical devices from surgeons and hospitals throughout its territory in the State of Illinois, including orders for Midwest Orthopedics at Rush University Medical Center, Dr. Richard Berger, and Dr. Craig Della Valle.
4. Dr. Berger and Dr. Della Valle implant Zimmer *NexGen* CR-Flex femoral knee components in their patients.
5. From January through June 2011, Dr. Berger implanted at least 328 Zimmer *NexGen* flex femoral components. Dr. Della Valle implanted at least 61 Zimmer *NexGen* flex femoral components.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 22, 2011.

  
Paul Daniel